

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi State Department of Health		CONTACT PERSON William F. Moody	TELEPHONE NUMBER 601-576-7518	
ADDRESS 570 East Woodrow Wilson, Suite U-232		CITY Jackson	STATE MS	ZIP 39110
EMAIL wmoody@msdh.state.ms.us	SUBMIT DATE 5/23/2012	Name or number of rule(s): Final FY-2012 Intended Use Plan Amendment #1 for the DWSIRLF		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: This will be the final FY-2012 Intended Use Plan Amendment #1 which will show projects to be funded and the terms of the assistance for Drinking Water Systems Improvements Revolving Loan Fund

Specific legal authority authorizing the promulgation of rule: Mississippi Code Ann. § 41-3-16

List all rules repealed, amended, or suspended by the proposed rule: Final FY-2012 Intended Use Plan

ORAL PROCEEDING:

- ☒ An oral proceeding is scheduled for this rule on Date: 5/18/2012 Time: 9:00 am Place: Mississippi State Department of Health
2423 North State Street, Underwood-232
Jackson, MS 39215
- ☐ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.


ECONOMIC IMPACT STATEMENT:

- ☒ Economic impact statement not required for this rule. ☐ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: _____ 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: <u>4/23/2012</u> Action taken: _____ Adopted with no changes in text <u>X</u> Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: <u>X</u> 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: William F. Moody, Director, Drinking Water SRF

Signature of person authorized to file rules: _____

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
<div style="border: 1px solid black; height: 150px; width: 100%;"></div> Accepted for filing by _____	<div style="border: 1px solid black; height: 150px; width: 100%;"></div> Accepted for filing by _____	<div style="border: 1px solid black; padding: 10px; text-align: center;">  </div> Accepted for filing by <u>CB18784E</u>

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



LOCAL GOVERNMENTS AND RURAL WATER SYSTEMS IMPROVEMENTS BOARD

MEMORANDUM

Date: May 23, 2012

To: Mayors, Presidents of Boards of Supervisors, County Administrators, Presidents of Rural Water Associations, Consulting Engineers, and Other Interested Parties

From: James H. Craig, III, Chairman
Local Governments and Rural Water Systems Improvements Board

Subject: Drinking Water Systems Improvements Revolving Loan Fund (DWSIRLF) Program
Final FY-2012 Intended Use Plan (IUP) Amendment #1

Final FY-2012 Intended Use Plan (IUP) Amendment #1

The Local Governments and Rural Water Systems Improvement Board (Board) established a public comment period on the Final FY-2012 IUP Amendment #1 for the DWSIRLF Loan Program through 9:00 a.m. on May 18, 2012. Written comments were received until that time at the address noted below.

The Board held a public hearing at 9:00 a.m., Friday, May 18, 2012, in Room U-232, in the offices of the Mississippi State Department of Health (MSDH), located at 2423 North State Street (Underwood Building) in Jackson, Mississippi, to receive written or verbal comments on the document. No comments were received.

As previously stated, loans made from the Standard Capitalization Grant funds during FY-2012 may receive some additional subsidization in the form of principal forgiveness and as long as the designated money is available. The amount of principal forgiveness is based on the system's median household income (MHI) vs. the State's MHI. Details of the additional subsidization (principal forgiveness) and the method used to calculate it is outlined on page 16 of the IUP. Principal forgiveness amounts per system are listed on the Final FY-2012 Priority List and the FY-2013 and After Planning Lists beginning on page 29. Additionally, the grant may require that 10% of the funds must be awarded for the construction of "Green Infrastructure" as defined in EPA guidelines.

The Final FY-2012 IUP reflects a 1.95% loan interest rate for all FY-2012 projects with a 20-year repayment period. It also includes a limit of one project per loan recipient with a maximum loan amount of \$5,000,000 which could be exceeded by a Board vote on a case-by-case basis. The Priority List of projects to receive loan funding is included in the Final FY-2012 IUP and has been prioritized in accordance with criteria previously approved by the Board.

The Board urges all applicants with projects on the FY-2012 Priority List to pay particular attention to Sections A. (pages 18-21) and D. (page 27) of the Priority System which establish guidelines for the use of funds associated with the federal appropriation and certain deadlines for FY-2012 projects. These deadlines have been established to insure that funds are reserved only for projects that are proceeding in a timely manner toward loan award.

Potential loan recipients with projects shown on the FY-2013 and After Planning List are strongly encouraged to continue working on their projects. Additional funds may become available for award during the year should funded projects fail to meet the established deadlines within the priority system. These released funds will be made available on a first-come-first-served basis to FY-2012 "catch-up" projects which proceed and meet all requirements for loan award in FY-2012.

If you are interested in a low interest loan for a project with potential principal forgiveness, you must **act quickly** to submit a ranking form and get started on your facilities plan in the event that additional funding is made available. The ranking form is available at the website listed below.

Copies of the Final FY-2012 IUP are being mailed to those prospective loan recipients who have projects listed on the FY-2012 Priority List and their consulting engineers. Systems listed on the FY-2013 and After Planning List, and their consulting engineers along with all other eligible program recipients will receive only this memo of notification. If you did not receive a copy of these documents, but would like one, you can download a copy from the MSDH website at www.healthhms.com/dwsrf, or call Ulysses Conley at (601) 576-7518, and a copy or copies will be mailed to you.

We look forward to receiving your input on these documents. If you have any questions, or if we may be of assistance, please contact Ulysses Conley at (601) 576-7518.

Enclosures